

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1637

Patent Application of

Bacher, et al.

Application No. 09/663,020

Confirmation No.: 1823

Filed: September 15, 2000

Examiner: Chunduru, Suryaprabha

“DETECTION OF MICROSATELLITE
INSTABILITY AND ITS USE IN DIAGNOSIS
OF TUMORS”

I, Leslie Lindsay Smith, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Signature

September 29, 2004

Date of Signature

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Washington, D.C. 22313-1450

Sir:

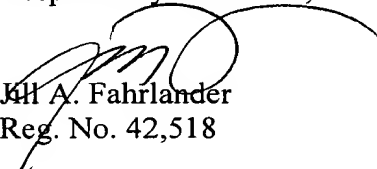
In the matter of the above-noted application, and in response to the Notice of Allowance mailed on June 30, 2004, Applicants responds as follows.

Applicants wish to comment on the Examiner's statement regarding the reasons for allowance of Claims 3-14, 17-34 and 50. Examiner stated that the prior art does not teach nor suggest co-amplification of MONO-15 repeat locus using primer sequences SEQ ID No. 7 and 8 with other mononucleotide and tetra-nucleotide repeat loci. Applicants wish to emphasize that the broadest allowed claims are not limited to the use of primers of SEQ ID No. 7 and 8. Furthermore, although Applicants agree that the use of the MONO-15 locus is patentable, Applicants submit that patentability does not depend solely on the choice of loci. The Examiner's reasons for allowance refer only to certain features of some of the claims and are, therefore, not the only reasons that Claims 3-14, 17-34 and 50 are allowed. Applicants submit that each allowed claim includes additional patentable features or combinations of features not mentioned by the Examiner or taught or suggested by the prior art.



Applicants greatly appreciate the Examiner's attention to this matter. The Examiner is invited to contact the undersigned at (608) 283-0124 for a telephone conference at any time regarding any other issues concerning the prosecution and allowance of this application.

Respectfully submitted,



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